

## **CITY UTILITIES COMMITTEE**

### **MINUTES**

**APRIL 26, 2011**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, April 26, 2011 at 10:09 a.m., in Committee Room #2.** The following members were present:

**The Honorable Natalyn M. Archibong, Chair**  
**The Honorable H. Lamar Willis, Vice-Chair**  
**The Honorable C. T. Martin**  
**The Honorable Yolanda Adrean**  
**The Honorable Howard Shook**  
**The Honorable Carla Smith**

The following member was absent:

**The Honorable Aaron Watson**

Others present at the meeting were: Councilmembers Felicia A. Moore and Joyce Sheperd; M. Theresa Stewart, Marc Goncher, Stephanie Grant, Michael Patrick McShane and Renee Shepherd, Law Department; Dexter White, Interim Commissioner, Deputy Commissioners Jim Beard, Eric Glover, Corey Busch, Sharon Matthews and Susan Rutherford, Department of Watershed Management; Keith Brooks, Office of Procurement; Mark Hunt; OEAM; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 10:09 a.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. UPDATES**

**PMTS Monthly Contracts and Quarterly Review - Department of Watershed Management**

**AJC Monthly Review - Office of Enterprise Asset Management**

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**D. COMMUNICATIONS**

- 11-C-0552 ( 1)     A Communication by City Auditor Leslie Ward submitting the Performance Audit Report regarding the Department of Public Works Regulation of Utility Street Cuts.  
**(Councilmember Archibong made motion to hold until meeting May 10, 2011)**

**HELD**

- 11-C-0668 ( 2)     A Communication by Mayor Kasim Reed appointing **Jo Ann J. Macrina, PE**, to serve as Commissioner of the Department of Watershed Management for the City of Atlanta. This appointment is effective upon Council confirmation.  
**(Councilmember Archibong made motion to hold until meeting May 10, 2011)**

**HELD**

**E. ORDINANCES FOR SECOND READING**

- 11-O-0494 ( 1)     An Ordinance by City Utilities Committee to amend Chapter 154 of the Code of Ordinances ("Utilities"), Article IV Sewer Construction and Assessments to add a new Section 154-155, entitled "Private Decentralized Wastewater Systems Prohibited" for the purpose of prohibiting certain private wastewater systems within the City of Atlanta in accordance with the Metropolitan North Georgia Water Planning District Requirements; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

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**ORDINANCES FOR SECOND READING (CONT'D)**

- 11-O-0528 ( 2)     A **Substitute** Ordinance by City Utilities Committee amending Ordinance No.10-O1653 for the purpose of authorizing the acquisition of thirteen additional properties, pursuant to the City's participation in the Federal Emergency Management Agency ("FEMA") Hazard Mitigation Assistance Program ("FEMA Grant"); to increase the total not to exceed amount for such acquisitions; and for other purposes.  
**(Councilmember Martin made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

- 11-O-0681 ( 3)     An Ordinance by Councilmembers Yolanda Adrean and Howard Shook to waive the term restriction contained in Section 154-26 of the Code of Ordinance stating that members of the Water and Sewer Appeals Board shall not serve more than eight consecutive years, so as to allow the reappointment of present board member Seymour Liebmann; and for other purposes.  
**(Councilmember Archibong made motion to hold for further review)**

**HELD**

- 11-O-0682 ( 4)     An Ordinance by Councilmembers Aaron Watson, H. Lamar Willis and Michael J. Bond **abandoning** a portion of Foundry Street, NW and authorizing the City to waive the requirement that the appraised Fair Market Value of the abandoned property be paid to the City; and authorizes the Mayor to execute a Quitclaim Deed to the Georgia State Properties Commission conveying the abandoned properties; and for other purposes. **(Advertised for a Public Hearing, May 10, 2011)**  
**(Councilmember Archibong made motion to hold for a Public Hearing)**

**HELD**

**ORDINANCES FOR SECOND READING (CONT'D)**

- 11-O-0684 ( 5)      An Ordinance by Councilmember C. T. Martin **as amended by City Utilities Committee** by to designate the intersections between Piedmont Avenue, NW and Centennial Olympic Park Drive, NW as the "Honorary Xernona Clayton Way and indentify space in Hardy Ivy Park for the "Xernona Clayton Plaza" and for other purposes.  
**(Advertised for a Public Hearing, May 10, 2011)**  
**(Councilmember Archibong made motion to amend and hold for a Public Hearing)**

**AMENDED AND HELD**

**F.      RESOLUTIONS**

- 11-R-0617 ( 1)      A Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment Agreement No. 2 for FC-4084, Valve and Hydrant Asset Assessment Program with WUS-BPA, Joint Venture, LLC, on behalf of the Department of Watershed Management in an amount not to exceed \$9,402,772.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers and PATEO listed; and for other purposes.  
**(Councilmember Archibong made motion to hold at the departmental request)**

**HELD**

- 11-R-0618 ( 2)      A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 2 for FC-4411, Annual Contract for Sludge Hauling and Disposal with Synagro South, LLC on behalf of the Department of Watershed Management/Bureau of Wastewater Treatment and Collections, for **Time-Only**; and for other purposes.  
**(Councilmember Smith made a motion to approve)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 11-R-0619 ( 3)     A Resolution by City Utilities Committee authorizing the Mayor to execute Renewal Agreement No. 1 with Electrical Testing, Inc., for FC-5031, Annual Contract for Electrical Testing and Inspection Services and Repair, on behalf of the Department of Watershed Management, in an amount not to exceed \$343,980.00 Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Adrean made a motion to approve)**

**FAVORABLE**

- 11-R-0620 ( 4)     A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement for River/Lake Information Management Services with the Atlanta Regional Commission in an amount not to exceed \$250,723.50; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers listed;; and for other purposes.  
**(Councilmember Smith made a motion to approve)**

**FAVORABLE**

- 11-R-0621 ( 5)     A Resolution by City Utilities Committee authorizing the Mayor to execute Amendment Agreement No. 3 with Formmaker Software, Inc., for FC-6005007966, Bill Payment Print Services, on behalf of the Department of Watershed Management to add additional funding in an amount not to exceed \$406,186.40; to correct Resolution No. 10-R-1823 to reflect the correct renewal term; and for other purposes.  
**(Councilmember Shook made a motion to approve)**

**FAVORABLE**

**RESOLUTIONS (CONT'D)**

- 11-R-0622 ( 6)     An **Amended** Resolution by City Utilities Committee authorizing the Mayor to issue a Task Order to Atlanta Service Group, a Joint Venture for FC-4906B, Construction Management Support Services for the South River Pump Station, in an amount not to exceed \$1,981,752.00; all work will be charged to and paid from Fund, Department Organization and Account Numbers and PATEO listed; and for other purposes.  
**(Councilmember Smith made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

**G.     ORDINANCE FOR FIRST READING**

- 11-O-0616 ( 1)     An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 Budget (DWM 1999 Water & Wastewater Bond Fund (5056) Budget, in the amount of \$2,207,560.77 to transfer funds from realigned, postponed or discontinued projects to the Capital Projects Reserve for Appropriations; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

**H.     PAPERS HELD IN COMMITTEE**

- 10-O-0939 ( 1)     A **Substitute** Ordinance by City Utilities Committee to amend Chapter 154, Article V. Division IV. Section 297 of the Atlanta City Code of Ordinances Entitled "City of Atlanta Grease Management Ordinance" (§154-297 et seq.) to adjust Wastewater Discharge Permit Fees; and for other purposes.  
**(Substituted and held 8/31/10) (Public Hearing held 9/21/10)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 10-O-1058 ( 2)     An **Amended** Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article III (Water), Division I (Generally) of the City of Atlanta, Code of Ordinances. for the Department of Watershed Management Bureau of Drinking Water to adjust Meter Hydrant Service and Installation Fees; and for other purposes. **(Amended and held 7/13/10) (Public Hearing held 9/21/10)**

**HELD**

- 10-O-1059 ( 3)     A **Substitute** Ordinance to amend Section 173 (Charges for Sewers laid by Developer for Use of Development), Division 2 (Assessments), Chapter 154 (Utilities), Article IV (Sewer Construction and Assessments), of the City of Atlanta Code of Ordinances to increase certain fees and impose new fees for Pipe and Structural Inspection, Erosion Control and Construction Inspection, Site Plan Review, and other services; to create a new Section 318 (Application Fees), Article VII (Riparian Buffer Requirements) Chapter 74 (Environment), to impose a new fee for plan review related to Riparian Buffer authorized Encroachment Applications; to create a new Section 521 (Fees), Article X (Post Development Stormwater Management) Chapter 74 (Environment) to impose a new fee for Plan Review related to Post Development Stormwater Management; to create a new Section 208 (Fees), Article VI (Flood Area Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Flood Plain Management; to create a new Section 406 (Fees), Article VIII (Wetland Protection Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Wetlands Protection; and for other purposes. **(Held 6/29/10 for a Public Hearing) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**

**HELD**

**PAPERS HELD IN COMMITTEE (CONT'D)**

- 10-O-1688 ( 4)      An Ordinance by Councilmembers Ivory L. Young, Jr. and Michael J. Bond, authorizing the Mayor or his designee to abandon the portion of James P. Brawley Drive, SW located between Beckwith and Martin Luther King, Jr. Drive, SW on the east and located between Mitchell Street, SW and Beckwith Street, SW on the west and being more specifically described in Exhibit "A" and more completely described in Exhibit "B" lying and being in Land Lot 109 of the 14<sup>th</sup> District, Fulton County, Georgia; to abandon the portion of Mitchell Street, SW between James P. Brawley Drive, SW and Paschal Boulevard, SW as marked on Exhibit "A" and more completely described in Exhibit "C"; to abandon Student Nonviolent Coordinating Committee ("SNCC") Way, SW between 399.76' south of Mitchell Street, SW and Beckwith Street, SW on the west side and between Mitchell Street, SW and Beckwith Street, SW on the west side as marked on Exhibit "A" and more completely described in Exhibit "D"; and for other purposes. **(To be advertised for a Public Hearing) (Held 9/14/10 for further discussions and a Public Hearing)**

**HELD**

- 10-O-1981 ( 5)      An Ordinance by Councilmembers Kwanza Hall, Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Yolanda Adrean **as amended by City Utilities Committee** authorizing the Mayor or his designee to rename Harris Street, NW located in Downtown Atlanta between Piedmont Avenue, NW and Park Drive, NW in its entirety to John Portman Boulevard, NW; and for other purposes. **(Public Hearing Held and amended 11/30/10) (Referred back by Council 1/3/11)**

**HELD**



**PAPERS HELD IN COMMITTEE (CONT'D)**

- 10-R-2126 ( 6)     A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Stack/NAPM, LLC, a Joint Venture, for FC-4757, South River Basin – East Point Sewer Replacement, on behalf of the Department of Watershed Management, in an amount not to exceed \$14,578,251.74; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers and PTAEAO Numbers listed; and for other purposes. **(Referred back by Council 1/3/11) (Held 1/14/11 at the request of the department)**

**HELD**

- 11-O-0080 ( 7)     An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or his designee to impose a Moratorium on street name changes for six (6) months; and for other purposes. **(Held 1/14/11 at the request of the author)**

**HELD**

- 11-R-0088 ( 8)     A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Cleta Winslow authorizing the Mayor or his designee to enter into an agreement between the City of Atlanta and the Urban Villa Neighborhood Association allowing the installation of a neighborhood sign within a certain right-of-way; and for other purposes. **(Held 1/14/11 for further review)**

**HELD**

- 11-O-0108 ( 9)     An Ordinance by Councilmember Michael J. Bond to designate the intersection of Atlanta Student Boulevard, SW and Walnut Street, SW, Flipper Temple AME Square; and for other purposes. **(To be advertised for a Public Hearing) (Held 2/1/11 for further discussion)**

**HELD**

**PAPERS HELD IN COMMITTEE (CONT'D)**

- 11-O-0132 (10) An **Amended** Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of the \$110,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for McDaniel Branch Wetlands Project; and for other purposes.  
**Councilmember Smith made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

- 11-R-0443 (11) A Resolution by Councilmembers Natalyn M. Archibong and Howard Shook **as substituted by City Utilities Committee** authorizing the Mayor to enter into a Consent Order and to authorize payment of penalties imposed by the Environmental Protection Division of the Department of Natural Resources of the State of Georgia in the amount of \$2,500.00 to the State of Georgia to resolve alleged violations of the Georgia Rules for Air Quality Control and Part 70 Operating Permit No. 4952-121-0036-V-02-0; to identify the source of funding; and for other purposes.  
**Councilmember Shook made a motion to approve on substitute)**

**FAVORABLE ON SUBSTITUTE**

**PAPERS HELD IN COMMITTEE (CONT'D)**

- 11-R-0536 (12)     A Resolution by Councilmembers Felicia A. Moore and Joyce M. Sheperd **as substituted by City Utilities Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of Article X of the City of Atlanta Code of Ordinances, utilizing the North Central Texas Council of Governments contract with United Services Utility Partners Private Label, Inc., doing business as Service Line Warranties of America to license the use of the City of Atlanta trademark in conjunction with advertisement to City of Atlanta residents of warranty plans for repair of water and sewer lines on residential property; to receive Trademark Licensing Fees; and for other purposes.  
**Councilmember Shook made a motion to approve on substitute)**

**FAVORABLE    ON    SUBSTITUTE    (1    ABSTENTION)**  
**ARCHIBONG**

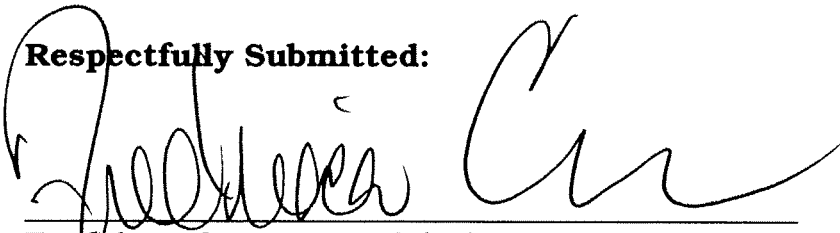
**I.    REQUESTED ITEMS**

1.     Councilmember Shook made a request to the Law Department to respond to how the City can pursue individuals and businesses that have had water debts with the City and are allowed to open new accounts. What can the City do about it?
2.     Councilmember Martin requested that the committee host a work session regarding the People TV Board.

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**There being no further business to come before the Committee, the meeting was adjourned at 12:30 p.m.**

**Respectfully Submitted:**



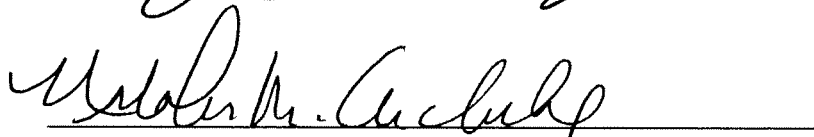
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**Fredriecca Cooper, Legislative Assistant**



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**Alfred Berry, Jr., Research and Policy Analyst**



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**The Honorable Natalyn M. Archibong, Chair**  
**City Utilities Committee**